

U.S. Customs Service

Treasury Decisions

(T.D. 02-13)

SYNOPSSES OF DRAWBACK RULINGS

The following are synopses of drawback rulings approved November 11, 2000, to January 9, 2002, inclusive, pursuant to Subparts A & B, Part 191 of the Customs Regulations.

In the synopses below are listed for each drawback ruling approved under 19 U.S.C. 1313(b), the name of the company, the specified articles on which drawback is authorized, the merchandise which will be used to manufacture or produce these articles, the date the application was signed, the Port Director to whom the ruling was forwarded to or approved by, the date on which it was approved and the ruling number.

Dated: March 25, 2002.

WILLIAM G. ROSOFF
(for John Durant, Director,
Commercial Rulings Division.)

(A) Company: Avecia, Inc.

Articles: pro-jet fast cyan 2 liquid—not modified

Merchandise: pro-jet cyan 2 stage a/k/a pro-jet fast cyan 2 stage
presscake, a/k/a pro-jet fast cyan 2 stage presspaste—not modified

Application signed: September 4, 2001

Ruling Forwarded to PD of Customs: New York, November 20, 2001

Effect on other rulings: terminates T.D. 00-73-C (44-04974-001)

Ruling: 44-04974-002

(B) Company: Avecia, Inc.

Articles: pro-jet cyan 1 liquid; pro-jet cyan 1C liquid

Merchandise: pro-jet fast cyan 1 R.O. feed

Application signed: September 4, 2001

Ruling Forwarded to PD of Customs: New York, December 13, 2001

Effect on other rulings: terminates T.D. 01-87-E (44-04973-002)

Ruling: 44-04973-003

(C) Company: Avecia, Inc.

Articles: waterfast trink ink; waterfast tripoly ink; waterfast trilit ink;
waterfast trink II ink; waterfast trink II lite ink; pro-jet fast black
2 liquid; pro-jet fast black 2-CF1; pro-jet fast black 2C liquid; pro-jet
fast black 2CF2

Merchandise: pro-jet black 286; pro-jet black 287

Application signed: September 4, 2001

Ruling Forwarded to PD of Customs: New York, December 13, 2001

Effect on other rulings: terminates T.D. 00-73-E (44-05424-001)

Ruling: 44-05424-002

(D) Company: ConAgra Grocery Products Company

Articles: tomato paste products; industrial bulk tomato paste—not
modified

Merchandise: tomato paste—not modified

Supplemental application signed: September 27, 2000

Modification approved by PD of Customs in accordance with
§191.8(g)(2): San Francisco, November 14, 2000

Effect on other rulings: modifies T.D. 92-29-Q (44-00019-000) to cover
change in company name from Hunt-Wesson, Inc.

Ruling: 44-00019-01

(E) Company: Chargeurs Wool (USA), Inc.

Articles: grease wool, shorn, including wool matchings & scoured wool;
grease wool, shorn or pulled and/or scoured wool including wool top
& other wool products—not modified

Merchandise: raw grease wool, shorn or pulled; scoured wool—not
modified

Supplemental application signed: July 16, 2001

Modification approved by PD of Customs in accordance with
§191.8(g)(2): Miami, August 29, 2001

Effect on other rulings: modifies T.D. 99-47-P (44-03542-001) to cover
change in company name from Prouvost USA, Inc.

Ruling: 44-03542-002

(F) Company: Continental Tire North America, Inc.

Articles: fabric; tires—not modified

Merchandise: nylon 6.6 fabric; nylon 6.6 yarn; greige cord 1890½—not
modified

Supplemental application signed: January 9, 2001

Modification approved by the PD of Customs in accordance with
§191.8(g)(2): New York, July 9, 2001

Effect on other rulings: modifies T.D. 95-85-H (44-03857-001) to cover
change in company name from Continental General Tire, Inc.

Ruling: 44-03857-002

(G) Company: Continental Tire North America, Inc.

Articles: tires—not modified

Merchandise: sulfenamide accelerators—DCBS, TBBS, MBS; guanidine accelerator—DPG; hindered bisphenol antioxidant; cobalt adhesion promoter; thiuram accelerators—TMTM, TMTD; dihydro trimethyl quinoline antioxidant; thiazole accelerator—MBTS—not modified

Supplemental application signed: January 9, 2001

Modification approved by PD of Customs in accordance with §191.8(g)(2): New York, July 9, 2001

Effect on other rulings: modifies T.D. 95–85–I (44–04085–001) to cover change in company name from Continental General Tire, Inc.

Ruling: 44–04085–002

(H) Company: Continental Tire North America, Inc.

Articles: tire fabric; tires—not modified

Merchandise: polyester yarn—not modified

Supplemental application signed: June 5, 2001

Modification approved by PD of Customs in accordance with §191.8(g)(2): New York, June 25, 2001

Effect on other rulings: modifies T.D. 01–85–D (44–06095–000) to cover change in company name from Continental General Tire, Inc.

Ruling: 44–06095–001

(I) Company: Continental Tire North America, Inc.

Articles: fabric; tires—not modified

Merchandise: polyester yarn, nylon 6 yarn—not modified

Supplemental application signed: January 9, 2001

Modification approved by PD of Customs in accordance with §191.8(g)(2): New York, June 25, 2001

Effect on other rulings: modifies T.D. 96–16–G (44–04576–000) to cover change in company name from Continental General Tire, Inc.

Ruling: 44–04576–001

(J) Company: CREANOVA Inc.

Articles: colorants—not modified

Merchandise: pigment 15–1026 Hostaperm Blue® BT–632–D (previously Endurophthal) Blue® RF BT–632–D)

Supplemental application signed: June 11, 2001

Ruling forwarded to PD of Customs: New York, November 30, 2001

Effect on other rulings: modifies T.D. 01–85–F (44–06112–000)

Ruling: 44–06112–001

(K) Company: Cytec Industries, Inc.

Articles: CYMEL® U–21–510; CYMEL® U–21–511; CYMEL® U–93–210

Merchandise: hexamethylenetetramine (hexamine)

Application signed: September 10, 2001

Ruling Forwarded to PD of Customs: New York, November 30, 2001

Effect on other rulings: none

Ruling: 44–06215–000

(L) Company: Cytec Industries, Inc.

Articles: CYMEL® 1170; CYMEL® 1171; CYMEL® 1172;
POWDERLINK® 1174

Merchandise: Glyoxal

Application signed: September 10, 2001

Ruling Forwarded to PD of Customs: New York, December 19, 2001

Effect on other rulings: none

Ruling: 44-06229-000

(M) Company: Cytec Industries, Inc.

Articles: ACCOBOND® 3524

Merchandise: Iminobispropylamine (IMPA)

Application signed: September 10, 2001

Ruling Forwarded to PD of Customs: New York, December 18, 2001

Effect on other rulings: none

Ruling: 44-06228-000

(N) Company: Davis & Geck, Limited

Articles: silicon coated surgical needles; heat treated gut sutures;
pre-cut nylon sutures; end dipped and pre-cut silk sutures

Merchandise: surgical needles; gut and silk surgical sutures

Application signed: July 17, 2001

Ruling Forwarded to PD of Customs: Chicago, December 6, 2001

Effect on other rulings: none

Ruling: 44-06223-000

(O) Company: Diversitec Corporation

Articles: diazo 533; diazo 525; diazo 413

Merchandise: 3-methoxy-4-diazo diphenylamine hydrogen sulfate;
4,4'-bis(methoxymethyl) diphenyl ether; 2,4,6-trimethyl benzene
sulfonic acid, sodium salt

Application signed: March 26, 2001

Ruling Forwarded to PD of Customs: Chicago, December 6, 2001

Effect on other rulings: none

Ruling: 44-06222-000

(P) Company: Equistar Chemicals, LP

Articles: monoethylene glycol; diethylene glycol; triethylene glycol;
ethylene oxide

Merchandise: ethylene

Application signed: September 25, 2001

Ruling Forwarded to PDs of Customs: Houston & San Francisco
November 21, 2001

Effect on other rulings: none

Ruling: 44-06216-000

(Q) Company: FilmTec Corporation
Articles: reverse osmosis filters a/k/a thin-filmed membranes
Merchandise: AWA No. 51 paper
Application signed: November 7, 2001
Ruling Forwarded to PDs of Customs: Boston & Chicago, December 5, 2001
Effect on other rulings: none
Ruling: 44-06218-000

(R) Company: The Gillette Company, Duracell Division
Articles: dry cell alkaline batteries
Merchandise: electrolytic manganese dioxide
Application signed: June 12, 2001
Ruling forwarded to PD of Customs: New York, November 15, 2001
Effect on other rulings: successor to Duracell Inc. T.D. 84-80-G (44-00686-000) under 19 U.S.C. 1313(s)
Ruling: 44-00686-001

(S) Company: JT International Manufacturing America, Inc.
Articles: cigarettes; filter rods; cigarette tobacco (blended a/k/a final blended strips, blended and cased a/k/a cased dried strips, and blended cased and cut a/k/a cut filler)
Merchandise: cigarette paper; cigarette plug wrap; tipping paper; filter components; charcoal acetate filter rods; polypropylene wrap; tear tape; tobacco (leaf, strip and scrap/refuse)
Application Signed: March 31, 2000
Ruling forwarded to PDs of Customs: Miami & New York, January 9, 2002
Effect on other rulings: successor to R. J. Reynolds Tobacco Company T.D. 94-6-W (44-04140-000) under 19 U.S.C. 1313(s)
Ruling: 44-04140-001

(T) Company: Lyondell Chemical Company
Articles: propylene glycol; dipropylene glycol; tripropylene glycol
Merchandise: propylene oxide
Application signed: August 22, 2001
Ruling Forwarded to PDs of Customs: Houston & San Francisco, November 19, 2001
Effect on other rulings: none
Ruling: 44-06212-000

(U) Company: Lyondell Chemical Co.
Articles: mono propylene glycol ethers; dipropylene glycol ethers
Merchandise: propylene oxide; methanol
Application signed: August 23, 2001
Ruling forwarded to PDs of Customs: Houston & San Francisco, December 12, 2001
Effect on other rulings: none
Ruling: 44-06224-000

(V) Company: Lyondell Chemical Company

Articles: propylene oxide; tertiary butyl hydroperoxide; tertiary butyl alcohol

Merchandise: propylene

Application signed: August 22, 2001

Ruling forwarded to PDs of Customs: Houston & San Francisco,
December 5, 2001

Effect on other rulings: none

Ruling: 44-06219-000

(W) Company: Rubicon Inc. (Joint Venture)

Articles: aniline

Merchandise: nitrobenzene

Application signed: July 3, 2001

Ruling forwarded to PD of Customs: New York, November 28, 2001

Effect on other rulings: none

Ruling: 44-06211-000

(X) Company: Standard Commercial Tobacco Company, Inc.

Articles: cigarette tobacco (blended; blended and cased; blended, cased
and cut a/k/a cut filler tobacco)

Merchandise: tobacco (leaf; strip; scrap/refuse)

Application signed: September 4, 2001

Ruling forwarded to PDs of Customs: San Francisco & New York,
December 6, 2001

Effect on other rulings: none

Ruling: 44-06221-000

(Y) Company: Union Carbide Corporation

Articles: crude acrylic acid

Merchandise: propylene

Application signed: May 29, 2001

Ruling Forwarded to PDs of Customs: Houston & San Francisco,
November 19, 2001

Effect on other rulings: none

Ruling: 44-06213-000

(Z) Company: Union Carbide Corp.

Articles: Caprolactone, a/k/a Tone[™] Monomer EC Regular Grade;
Tone[™] Monomer ECHP; Tone[™] Monomer ECEQ

Merchandise: Cyclohexanone

Application signed: September 4, 2001

Ruling Forwarded to PDs of Customs: Houston & San Francisco
December 14, 2001

Effect on other rulings: none

Ruling: 44-06225-000

19 CFR Parts 7, 10, 11, 12, 18, 19, 24, 54, 101, 102, 111, 114, 123, 128, 132, 134, 141, 145, 146, 148, 151, 152, 177, 181, and 191

(T.D. 02-14)

TECHNICAL AMENDMENTS TO THE CUSTOMS REGULATIONS

AGENCY: Customs Service, Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations by making certain technical corrections to various authority citations to reflect amendments to the Harmonized Tariff Schedule of the United States implementing the United States-Jordan Free Trade Area Implementation Act, signed September 28, 2001.

EFFECTIVE DATE: March 29, 2002.

FOR FURTHER INFORMATION CONTACT: Gregory R. Vilders, Attorney, Regulations Branch, Office of Regulations and Rulings, (202) 927-1415.

SUPPLEMENTARY INFORMATION:

BACKGROUND

In Chapter I of the Customs Regulations (19 CFR chapter I) there are many general and specific authority citations and some sections that reference certain General Note provisions of the Harmonized Tariff Schedule of the United States (HTSUS).

On September 28, 2001, the United States-Jordan Free Trade Area Implementation Act was signed into law (Pub.L. 107-43, 115 Stat. 243, 19 U.S.C. 2112 note). To implement the provisions of this Act, on December 7, 2001, the President issued Proclamation 7512 (66 FR 64497), the Annex of which modified the HTSUS by, among other things, adding a new General Note and redesignating the General Notes of the HTSUS that followed this addition. Specifically, a new HTSUS General Note 18 was added and HTSUS General Notes 18-23 were redesignated as HTSUS General Notes 19-24, respectively.

Because of the redesignation of General Notes in the HTSUS, the general and specific authority citations and sections in the Customs Regulations that reference certain General Note provisions are no longer accurate.

This document corrects General Note references in 25 parts and in 3 sections of the Customs Regulations (19 CFR parts 7, 10, 11, 12, 18, 19, 24, 54, 101, 102, 111, 114, 123, 128, 132, 134, 141, 145, 146, 148, 151, 152, 177, 181, and 191, and §§ 24.23, 141.4, and 152.13) to reflect the modification of the HTSUS set forth in Presidential Proclamation 7512.

INAPPLICABILITY OF PUBLIC NOTICE AND COMMENT REQUIREMENT AND DELAYED EFFECTIVE DATE REQUIREMENT

Because these amendments merely correct certain authority citation referencing errors in the Customs Regulations, pursuant to 5 U.S.C.

553(b)(B), Customs finds that good cause exists for dispensing with notice and public procedure as unnecessary. For these same reasons, pursuant to 5 U.S.C. 553(d)(3), Customs finds that good cause exists for dispensing with the requirement for a delayed effective date.

THE REGULATORY FLEXIBILITY ACT

Since this document is not subject to the notice and public procedure requirements of 5 U.S.C. 553, it is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. *et seq.*).

EXECUTIVE ORDER 12866

These amendments do not meet the criteria for a “significant regulatory action” as specified in E.O. 12866.

DRAFTING INFORMATION

The principal author of this document was Gregory R. Vilders, Attorney, Regulations Branch, Office of Regulations and Rulings.

AMENDMENTS TO THE REGULATIONS

Chapter I of the Customs Regulations (19 CFR chapter I) is amended as set forth below:

PART 7—CUSTOMS RELATIONS WITH INSULAR POSSESSIONS AND GUANTANAMO BAY NAVAL STATION

1. The authority citation for part 7 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1623, 1624; 48 U.S.C. 1406i.

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

1. The general authority citation for part 10 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States (HTSUS)), 1321, 1481, 1484, 1498, 1508, 1623, 1624, 3314;

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PART 11—PACKING AND STAMPING; MARKING

1. The authority citation for part 11 is revised to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Notes 23 and 24, Harmonized Tariff Schedule of the United States), 1624.

PART 12—SPECIAL CLASSES OF MERCHANDISE

1. The general authority citation for part 12 is revised to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States (HTSUS)), 1624;

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PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

1. The general authority citation for part 18 is revised to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1551, 1552, 1553, 1623, 1624.

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PART 19—CUSTOMS WAREHOUSES, CONTAINER STATIONS AND CONTROL OF MERCHANDISE THEREIN

1. The general authority citation for part 19 is revised to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1624;

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PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

1. The general authority citation for part 24 is revised to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 58a–58c, 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1505, 1624; 26 U.S.C. 4461, 4462; 31 U.S.C. 9701.

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2. In § 24.23, the reference in paragraph (c)(1)(v) to “General Note 18, HTSUS” is removed and added, in its place, is the reference “General Note 19, HTSUS”.

PART 54—CERTAIN IMPORTATIONS TEMPORARILY FREE OF DUTY

1. The authority citation for part 54 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23; Section XV, Note 5, Harmonized Tariff Schedule of the United States), 1623, 1624.

PART 101—GENERAL PROVISIONS

1. The general authority citation for part 101 is revised to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 2, 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1623, 1624, 1646a.

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PART 102—RULES OF ORIGIN

1. The authority citation for part 102 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1624, 3314, 3592.

PART 111—CUSTOMS BROKERS

1. The general authority citation for part 111 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1624, 1641.

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PART 114—CARNETS

1. The authority citation for part 114 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1623, 1624.

PART 123—CUSTOMS RELATIONS
WITH CANADA AND MEXICO

1. The general authority citation for part 123 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States (HTSUS)), 1431, 1433, 1436, 1448, 1624.

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PART 128—EXPRESS CONSIGNMENTS

1. The authority citation for part 128 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1321, 1484, 1498, 1551, 1555, 1556, 1565, 1624.

PART 132—QUOTAS

1. The general authority citation for part 132 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States (HTSUS)), 1623, 1624.

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PART 134—COUNTRY OF ORIGIN MARKING

1. The authority citation for part 134 is revised to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1304, 1624.

PART 141—ENTRY OF MERCHANDISE

1. The general authority citation for part 141 continues, and the specific authority for § 141.4 is revised, to read as follows:

Authority: 19 U.S.C. 66, 1448, 1484, 1624.

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Section 141.4 also issued under 19 U.S.C. 1202 (General Note 19; Chapter 86, Additional U.S. Note 1; Chapter 89, Additional U.S. Note 1; Chapter 98, Subchapter III, U.S. Note 4, Harmonized Tariff Schedule of the United States), 1498;

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2. In § 141.4:

a. The reference in paragraph (b)(1) to “General Note 18” is removed and added, in its place, is the reference “General Note 19”; and

b. The reference in the introductory text of paragraph (c) to “General Note 18(e)” is removed and added, in its place, is the reference “General Note 19(e)”.

PART 145—MAIL IMPORTATIONS

1. The general authority citation for part 145 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1624;

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PART 146—FOREIGN TRADE ZONES

1. The authority citation for part 146 is revised to read as follows:

Authority: 19 U.S.C. 66, 81a–81u, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1623, 1624.

PART 148—PERSONAL DECLARATIONS AND EXEMPTIONS

1. The general authority citation for part 148 is revised to read as follows:

Authority: 19 U.S.C. 66, 1496, 1498, 1624. The provisions of this part, except for subpart C, are also issued under 19 U.S.C. 1202 (General Note 23, Harmonized Tariff Schedule of the United States);

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PART 151—EXAMINATION, SAMPLING, AND TESTING OF MERCHANDISE

1. The general authority citation for part 151 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Notes 23 and 24, Harmonized Tariff Schedule of the United States (HTSUS)), 1624.

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PART 152—CLASSIFICATION AND APPRAISEMENT OF MERCHANDISE

1. The general authority citation for part 152 continues, and the specific authority for §152.13 is revised, to read as follows:

Authority: 19 U.S.C. 66, 1401a, 1500, 1502, 1624.

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Section 152.13 also issued under 19 U.S.C. 1202 (General Note 20, Harmonized Tariff Schedule of the United States (HTSUS)).

2. In § 152.13:

- a. The reference in paragraphs (b)(1) and (b)(2) to “General Note 19” is removed and added, in its place, is the reference “General Note 20”;
- b. The reference in the introductory text of paragraph (c) and in paragraphs (c)(1), (c)(2), and (c)(3) to “General Note 19” is removed and added, in its place, is the reference “General Note 20”; and
- c. The references in paragraph (d) to “General Note 19” are removed and added, in their place, are the references “General Note 20”.

PART 177—ADMINISTRATIVE RULINGS

1. The general authority citation for part 177 is revised to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1624.

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PART 181—NORTH AMERICAN FREE TRADE AGREEMENT

1. The authority citation for part 181 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1624, 3314.

PART 191—DRAWBACK

1. The general authority citation for part 191 is revised to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1313, 1624.

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Dated: March 25, 2002.

DOUGLAS M. BROWNING,
Acting Assistant Commissioner,
Office of Regulations and Rulings.

[Published in the Federal Register, March 29, 2002 (67 Fr 15097)]